

CITY OF NEWPORT

DOCKET OF THE COUNCIL MEETING

MARCH 27, 2013

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on March 27, 2013, at 6:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN'S FORUM: (Speakers must sign in with the City Clerk). The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **PUBLIC HEARING:** Proposed Community Development Block Grant (CDBG) Application.
-- Communication from the City Manager, Action #5121/13, re: Approval of CDBG Application (with accompanying resolution)
2. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
 - a. Minutes of the February 27 and March 13, 2013, council meetings.
(Approve)

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: www.cityofnewport.com – “Current Newport City News & Announcements” – Click on “MORE NEWS.” Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER'S OFFICE TWO WEEKS IN ADVANCE OF THE MEETING.

b. Special Event Licenses:

- 1) Rhode Island Brewers Guild, d/b/a 2nd Annual Craft Beer Festival; Great Friends Meeting House, Dr. Marcus F. Wheatland Blvd., Marlborough and Farewell Sts., April 27, 2013, from 12 Noon to 3:00 p.m., and from 4:00 p.m. to 7:00 p.m.
- 2) Sail Newport, d/b/a Sail Newport's Shipwrecked Party/Fundraiser; 181 Bellevue Ave. May 11, 2013, from 7:00 p.m. to 12 Midnight.
- 3) LTJG Julia A. Harwood, USCG, d/b/a Coast Guard Remember 5K Run, May 18, 2013, from 9:00 a.m. to 11:00 a.m. (beginning and ending at Rogers High School; route attached)
- 4) Bike Newport, d/b/a Father's Day Bike Ride; Saturday, June 15th, events within Fort Adams State Park, from 1:00 p.m. to 5:00 p.m.; Sunday, June 16th, from 7:00 a.m. to 2:00 p.m., bike rides, beginning and ending at Fort Adams (6 mi. route, Ocean Dr. area; 10 mi., Ocean Dr./Bellevue Ave. area; 25 mi., Ocean Drive/Bellevue Ave./Memorial Blvd. into Middletown and back to Fort Adams)

c. Holiday Selling License, Renewal, Hooley Worldwide, Inc., d/b/a Hooley-Resails, 37 America's Cup Ave. (New location)

d. Holiday Selling License, Renewals (Listed at end of docket)

e. Second-hand License Renewals:

- 1) Cottage & Garden, LLC, d/b/a Cottage & Garden, 9 Bridge St.
- 2) Game Stop, Inc., d/b/a Game Stop #3842, 163 Connell Highway
- 3) Grenon's of Newport, LLC, d/b/a Grenon's of Newport, 210 Bellevue Ave.

f. Communication from James Hagerty, Founder, Coastal BikeShare, LLC, proposing to implement a plan in partnership with the City of Newport to install and maintain ten private bicycle racks in key public areas. (Receive and refer to the city administration.)

- g. CRMC Notice, File No. 2013-03-001, RIDOT Application for an Assent to make repairs to Cliff Walk resulting from Post Tropical Storm “Sandy.” (Receive)

LICENSES & PERMITS

- 3. Victualing License, Transfer of Location, Pasta Beach, LLC, d/b/a Pasta Beach, from 7 Memorial Blvd. to 136-138 Bellevue Ave. (Continued from March 13, 2013)
- 4. Annual Entertainment License, New, Class A (indoors), Broadway Tavern, Ltd., d/b/a Broadway Tavern, 16-18 Broadway. (First Hearing)
- 5. Victualing License, New, Nana’s Gelato Café, LLC, d/b/a Nana’s Ice Cream & Gelato, 8 Fair St.

COMMUNICATIONS & PETITIONS

- 6. Communication from John Vitkevich, Portsmouth Business Association, asking the Council to direct the City Solicitor to join with the Town Solicitors of the East Bay communities to review information relating to the tolling of the Sakonnet Bridge.
- 7. Report of Councilor Napolitano on the East Bay Energy Consortium

8. APPOINTMENTS TO BOARDS & COMMISSIONS

Bicycle and Pedestrian Advisory Commission. Applicants: Cheryl Abney, Annette Bourbonniere, Rebecca Bolan, Deanna Casey, Chuck Flippo, Bari George, Bart Grimes, Brian Gumkowski, Raymond Malm, Peter Rice

Energy and Environment Commission. Reappointment of Dawn Euer

Tree and Open Space Commission. Reappointment of Lisa Perrault

Newport Beach Commission. Reappointment of Martin Gollis

Thames St. Streetscape Advisory Group (TSSAG): Paul A. Bernard, Deanna Casey, Steven Cundy, George Jones, Peter J. O’Connell, Martha F. Parker, Laurance Phillips, Stephen Ramponi, Erica Zap

Council Liaisons to TSSAG: Kathryn Leonard and Naomi Neville

RESOLUTIONS

9. Reconsideration: Requesting the RI General Assembly to Amend RIGL 17-14-7 to reduce the required number of signatures on nomination petitions for candidates running at large for the Newport City Council and School Committee – J. Napolitano, M. Camacho (Resolution defeated Feb. 27; reconsideration approved at March 13, 2013, council meeting.)
10. Requesting the Rhode Island General Assembly to oppose and reject any and all mandatory binding arbitration legislation currently being considered for teacher and other school employee and municipal employee contracts – H. Winthrop
11. Requesting the Rhode General Assembly to defeat S-365, S-777 and H-5699, which would mandate that expired teacher, police officer, firefighter, or municipal employee contracts must continue at the existing terms and conditions – H. Winthrop

COMMUNICATIONS FROM THE CITY MANAGER

12. Action #5122/13, re: Bid Award for Electrical Contract Services (with accompanying resolution)
13. Action #5123/13, re: Modification No. 3 to Agreement for Treatment of Middletown's Wastewater (with accompanying resolution)
14. Action #5124/13, re: Bid Award for Paradise Pump Station Vacuum Priming System (with accompanying resolution)
15. Action #5125/13, Residential Sticker Parking – Increase in Penalty for Parking Violation (with accompanying ordinance)
15. Action #5126/13, re: Continuation of Microfilming and Conversion of Land Evidence Records (with accompanying resolution)

RECESS AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

LICENSES & PERMITS

1. Application for a Class F-1 Daily Liquor License, Sail Newport, May 11, 2013, from 7:00 p.m. to 12 Midnight (fundraiser at 181 Bellevue Ave.)
2. Sunday Selling License, Renewal, Newport Win Cellar, LLC, d/b/a Newport Wine Cellar, 24 Bellevue Ave.
3. Application of Pasta Beach, LLC, d/b/a Pasta Beach, 7 Memorial Blvd., to transfer its Class BV alcoholic beverage license to 136-138 Bellevue Ave. (Hearing; continued from March 13, 2013)

COMMUNICATIONS FROM THE CITY MANAGER

4. Action #5104/13, re: Show Cause Hearing: Billy Goode Company, Inc., d/b/a Billy Goode's – Operating Without a Valid Class BV Alcoholic Beverage License (Continued from February 13, 2013)
5. Action #5105/13, re: Show Cause Hearing: Mermaid's Newport, LLC, d/b/a Poor Richard's/Benjamin's – Operating without a Valid Class BV Alcoholic Beverage License (Continued from February 13, 2013)
DISMISS – License issued February 27, 2013)

ADJOURN AS BOARD OF LICENSE COMMISSIONERS, RECONVENE AS COUNCIL, AND, BASED UPON AN AFFIRMATIVE VOTE OF THE MAJORITY PRESENT, MOVE TO EXECUTIVE SESSION IN THE CONFERENCE ROOM, IN ACCORDANCE WITH RI GENERAL LAWS, SECTION 42-46-1, AS AMENDED, AND IN ACCORDANCE WITH SECTION 42-46-5, *PURPOSES FOR WHICH MEETINGS MAY BE CLOSED*, 42-46-5(a)(2) PENDING LITIGATION REGARDING THE CITY'S PROPOSED WATER RATE INCREASE.

Kathleen M. Silvia
City Clerk

March 20, 2013

Holiday Selling Renewals

D/B/A	Organization Name	Number on	Street Address
Anchor Bend	Anchor Bend Glassworks, LLC	16	Franklin Street
Angela Moore	Angela Moore, Inc.	190	Bellevue Avenue
Army Navy Surplus	Shiv Jay Retail Realty LLC	111	Swinburne Row
Be Dazzled	Be Dazzled Inc.	225	Goddard Row
Ben's Furniture Co.	Ben's Furniture Co.	166	Thames St.
Blue Rocks Market	Blue Rocks Catering, LLC	7	Carroll Ave
Brahmin Leather Works	Brahmin Leather Works Inc.	22	Bannisters Wharf
Brooks Brothers	Brooks Brothers Group, Inc.	139	Swinburne Row
Cabbage Rose	Janet Culkins	493	Thames St.
Coral Sonam, LLC	411	Thames St. Unit 3	
Dress Barn and Dress	Dress Barn Inc. #604	199	Connell Highway
Express Express Fashion Operations, LLC		144	Thames St.
GameStop #3842	GameStop, Inc.	163	JT Connell Highway
Gossip Gossip Inc.	391	Thames St., Unit # R3	
Handy Variety	Rafic El Hariri	458	Thames St
Ireland Calls	Kathleen L. Cabral	123	Swinburne Row
Island Outfitters	Island Resort Retail Group, Inc.	471	Thames St.
John MacGowan	John MacGowan	221	Spring St.
K & K Food Mart	Abdul-Qudoos Khan	10	Connell Highway
KiRa Salon Ltd.	KiRa Salon Ltd.	6	West Marlborough St.
Kristina Richards	Kristina Richards	17	Touro St.
Lotus Sonam LLC	411	Thames St. Unit # 4	
Museum of Newport	Newport Historical Society	127	Thames St.
Ranew Salon & Spa	Ranew Salon & Spa, Inc.	580	Thames St.
Royal Male	Royal Male, LTD	104	Spring St.
Royal Warrant	Royal Male, LTD	18	Bannisters Wharf
Sleepy's Sleepy's "The Mattress Professinals" LLC		199	Connell Highway
Sole Desire	Heavenly Soles, Inc.	131	Swinburne Row
Stardust Fashion	Jane Kropp	359	Thames St.
Sunglass Hut #1694	Sunglass Hut Trading, LLC	204	Thames St.
Thames Street Shirt	Thames Street Shirt Company	410	Thames St.
Tibet in-port	Sonam LLC	411	Thames St. Unit #1
UPS Store, The	Caje Enterprises, LLC	270	Bellevue Ave.